



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/7/2023

49 Thomas Street, Floor 5
New York, NY 10013
(212) 577-3300
<https://www.legalaidnyc.org/>

Tel: 212-298-5233
EWHenley@legal-aid.org

Alan Levine
President

Twyla Carter
Attorney-in-Chief
Chief Executive Officer

Adriene L. Holder
Chief Attorney
Civil Practice

November 3, 2023

MEMO ENDORSED

Judge Barbara Moses
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 740
New York, NY 10007

Re: Housing Rights Initiative v. Compass, Inc., 1:21-CV-02221
Letter-Motion Requesting Pre-Motion Discovery Conference

Dear Judge Moses:

Pursuant to Local Civ. R. 37.2 and Section 2.b of your individual practices, I write on behalf of Plaintiff Housing Rights Initiative to request a discovery conference in advance of filing a motion to compel discovery responses against Defendant Chandler Management, LLC.

Plaintiff served its First Requests to Chandler Management, LLC for Production of Documents and Tangible Things (“First RFPs”) on Chandler Management’s counsel, Peter Piddoubny and Oksana Pelekh. Plaintiff served the First RFPs on Chandler Management’s counsel via email on June 8, 2023, and via first class mail on June 23, 2023. A true and complete copy of Plaintiff’s First RFPs is attached as Exhibit A.

As of today’s date, Chandler Management has failed to provide any response to Plaintiff’s First RFPs. Therefore, Plaintiff seeks a pre-motion discovery conference regarding prior to filing a motion to compel responses to its First RFPs

I certify that the required good faith conference has occurred prior to the filing of this letter-motion.

Plaintiff granted Chandler Management an extension until August 31, 2023, to respond to the First RFPs. On September 28, 2023, having received no response from Chandler Management, I requested to meet and confer with Chandler Management’s counsel regarding its failure to respond and proposed times for the conference. Mr. Piddoubny called me on October 5, 2023, at around 2:37 PM. The conversation lasted approximately two minutes. Mr. Piddoubny asked for an extension to respond until October 13, 2023, which Plaintiff granted. Since then, I have sent Chandler Management’s counsel emails regarding the overdue responses on October 18, 2023, and October 26, 2023. I have not received a response.

On November 1, 2023, I emailed Chandler Management’s counsel and asked for Chandler Management’s position regarding Plaintiff’s First RFPs and the motion to compel. As of the time of the filing of this letter motion, I have not received a response.

For the foregoing reasons, Plaintiff requests that the Court schedule a pre-motion discovery conference with Chandler Management.

Respectfully submitted,

/s/ Evan Henley

cc: All counsel of record via ECF

Application GRANTED. Defendant Chandler Management, LLC is reminded that it must "respond promptly and in good faith to a request from another party to meet and confer[.]" Moses Ind. Prac. ¶ 2(b). Defendant shall, *after* meeting and conferring in good faith with plaintiff, file its responding letter no later than **November 8, 2023**. Plaintiff shall file any reply no later than **November 13, 2023**.

If the parties are unable to resolve their discovery dispute, the Court will hold a conference on the motion to compel on **November 30, 2023 at 11:00 a.m.** in Courtroom 20A, 500 Pearl Street, New York, New York. It is the Court's practice, where possible, to resolve discovery disputes at the conference, without resort to formal motion practice. SO ORDERED.



Barbara Moses
United States Magistrate Judge
November 7, 2023